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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,167	06/26/2001	Robert Seseck	10007997-1	4514

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KE, PENG

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2174

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/893,167	SESEK, ROBERT
	Examiner	Art Unit
	Peng Ke	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 July 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. This action is responsive to communications: Amendment, filed on 7/23/04.

This action is final.

2. Claims 1-20 are pending in this application. Claims 1, 4, 10, 11, 16-19 are independent claims. In the Amendment, filed on 7/23/04, claims 1, 4, 10, 11, 16-19 were amended.

3. Since the applicant fails to traverse the examiner's assertion of official notice, official notice is taken as admitted prior art.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14, and claim 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motai (US 5,850,220) in view of Elsey et al. (US 2002/0055351).

As per claim 16, Motai teaches a method for downloading a calendar screensaver process over the Internet, the method comprising the steps of:

displaying the original, updateable schedule on the computer display as a screen saving process while the computer device is in an inactive mode; and  
if the updateable schedule is accessed while the computer device is in the inactive mode,

enabling input access to only the original, updateable schedule, for additional schedule inputs to create an amended schedule, while locking out other computer device functions (col. 1, lines 26-51); and

However, Motai fails to teach  
accessing a predetermined World Wide Web site;  
downloading the calendar screensaver process that comprises the steps of accessing an original, updatable schedule from the memory;  
enabling remote input access to the original, updateable schedule, as additional schedule and contact inputs for creating an amended schedule and a matrix with a time contact schedule that includes current lime sensitive contact information to provide accessors of the computer device with current contact information of a user of the computer device.

Elsey et al. teaches accessing a predetermined World Wide Web site;  
downloading the calendar process that comprises the steps of accessing an original, updateable schedule from the memory;  
enabling remote input access to the original, updateable schedule, as additional schedule and contact inputs for creating an amended schedule and a matrix with a time contact schedule that includes current lime sensitive contact information to provide accessors of the computer device with current contact information of a user of the computer device (fig. 17 and 18, paragraph 93 and 94).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Elsey's teaching Motai's method in order to created a calendar screen saver method that can be updated even if a user is not in close proximity of the computer device.

As per claim 1, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 2, Motai and Elsey teach the calendar screensaver method of claim 1. Motai further teaches the method wherein the step of accessing comprises accessing a hard drive for the schedule (col. 2, lines 21-24).

As per claim 3, Motai and Elsey teach the calendar screensaver method of claim 1. Motai further teaches the method wherein the step of accessing comprises accessing random access memory (col. 2, lines 21- 24).

As per claim 4, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 5, Motai and Elsey teach the calendar screensaver method of claim 4. Elsey further teaches method wherein the step of enabling access comprises selectively enabling access in response to an input password (paragraph 45).

As per claim 6, Motai and Elsey teach the calendar screensaver method of claim 4. Elsey further includes the step of determining conflicts between the amended schedule and the original schedule (paragraph 104, 117).

As per claim 7, Motai and Elsey teach the calendar screensaver method of claim 4. Motai further includes the step of displaying a message substantially simultaneously with either the original schedule or the amended schedule (col. 2, lines 26-45).

As per claim 8, Motai and Elsey teach the calendar screensaver method of claim 7. Elsey further includes the step of remotely updating the message by text of an e-mail received by the computer device. (paragraph 7)

As per claim 9, Motai and Elsey teach calendar screensaver method of claim 4 and further including the step of remotely updating the original schedule by text of an e-mail received by the computer device (paragraph 104).

As per claim 10, it is rejected with the same rationale as claim 16.

Claim 11, Motai teaches a calendar screensaver method for a computer device comprising memory and a display, the method comprising the steps of:

accessing an original, updatable schedule, of a schedule user, from the memory; displaying the original, updatable schedule on the computer display as a screensaving process while the computer device is in an inactive mode (col. 1, lines 26-51);

However, Motai fails to teach

if the updateable schedule is accessed while the computer device is in the inactive mode, determining access privileges of an accessor;

in response to the access privileges, enabling input access to only appropriate portions of the original, updateable schedule, for additional schedule inputs to create an amended schedule, while locking out other computer device functions;

determining if a conflict exists between the amended schedule and the original schedule; and

informing the schedule user of the amended schedule; and

enabling remote input access to the original, updateable schedule, as additional schedule and contact inputs for creating an amended schedule and a matrix with a time contact schedule that includes current lime sensitive contact information.

Elsey et al. teaches

if the updateable schedule is accessed while the computer device is in the inactive mode, determining access privileges of an accessor (paragraph 45);  
in response to the access privileges, enabling input access to only appropriate portions of the original, updateable schedule, for additional schedule inputs to create an amended schedule, while locking out other computer device functions (paragraph 101);  
determining if a conflict exists between the amended schedule and the original schedule (paragraph 104, 117); and  
informing the schedule user of the amended schedule (fig. 17 and 18, paragraph 93 and 94); and  
enabling remote input access to the original, updateable schedule, as additional schedule and contact inputs for creating an amended schedule and a matrix with a time contact schedule that includes current lime sensitive contact information (fig. 17 and 18, paragraph 93 and 94).

As per claim 12, it is of the same scope as claim 9. (see rejection above)

As per claim 13, Motai and Elsey teach the calendar screensaver method of claim 11. However, they fail to teach the method wherein the step of informing comprises transmitting a wireless, text-enabled telephone compatible message to the wireless telephone. However, Elsey discloses that the transmission of e-mail occurs through an Internet connection that includes but is not limited to one (fig. 17 and 18, paragraph 93 and 94). Official notices is taken that in cable and Ethernet, wireless connections are well known in the art, therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include wireless capabilities in Motai's invention with Ethernet and cable connections in order to allow a user to make modifications and submit them in a more convenient manner.

As per claim 14, Motai and Elsey teach the calendar screensaver method of claim 11. They fail to teach wherein the step of informing comprises transmitting a pager message to the schedule user. However, Official Notice is taken that transmitting a message via pager is well known in the art therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include the means to transfer information to the schedule user through a pager in order to extend the methods of communication and allow a user to make modifications and submit them in a more convenient manner.

As per claim 17, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 18, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 19, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 20, Motai and Elsey teach the calendar screensaver method of claim 19.

Elsey teaches further including the step of remotely updating the original schedule over a network (fig. 17 and 18, paragraph 93 and 94).

Claim 15 rejected under 35 U.S.C. 103(a) as being unpatentable over anticipated Motai (US 5,850,220) in view of Elsey et al. (US 2002/0055351) further in view of Davis et al. (US 5937160).

As per claim Claim 15, Motai and Elsey et al. teach the calendar screensaver method of claim 11. However, they fail to teach further including the step of displaying a conflict error message if the conflict exists between the amended schedule and the original schedule.

However, Davis teaches a calendar updates system that incorporates recording and displaying discrepancies in a log (col. 14, lines 53-64). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Davis's method of noting

discrepancies/errors in updating a calendar with Motai's calendar screensaver method in order to create a system in which conflicting scheduling does not inadvertently occur.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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